



THE SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000



JAN 10 2001

MEMORANDUM FOR THE SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: DoD Policy on Submunition Reliability (U)

Submunition weapons employment in Southwest Asia and Kosovo, and major theater war modeling, have revealed a significant unexploded ordnance (UXO) concern. The following establishes the Department's policy regarding submunition weapons acquisition. The policy applies to systems delivered by aircraft, cruise missiles, artillery, mortars, missiles, tanks, rocket launchers, or naval guns that are designed to attack land-based targets and that deploy payloads of submunitions that detonate via target acquisition, impact, or altitude, or self-destruct (or a combination thereof). It is the policy of the DoD to reduce overall UXO through a process of improvement in submunition system reliability—the desire is to field future submunitions with a 99% or higher functioning rate. Submunition functioning rates may be lower under operational conditions due to environmental factors such as terrain and weather.

Program Managers shall include the non-recurring cost of increasing the overall functioning rate; the operational use costs, including the cost of clearing UXO on test and training ranges in accordance with DoD policy and operational requirements; and disposal costs, as part of the life-cycle costs of all future submunition weapons. The Program Manager should establish submunition functioning thresholds and objectives that advance the process of improvement in system reliability, and that take into consideration the benefits from reduced UXO (i.e., a cost-benefit analysis of increasing the functioning rate (cost) and the resulting reduction in UXO (benefit)).

The Services may retain "legacy" submunitions until employed or superseded by replacement systems in accordance with the above policy. The designation "legacy" would apply to submunition weapon acquisition programs reaching Milestone III prior to the First Quarter of Fiscal Year 2005.


The Services shall evaluate "legacy" submunition weapons undergoing re-procurement, product improvement, or block upgrades to determine whether modifications should be made to bring them into compliance with the above policy.

The Services shall design and procure all future submunition weapons in compliance with the above policy. A "future" submunition weapon is one that will reach Milestone III in FY 2005 and beyond. Waivers to this policy for future ACAT I and II submunition weapons programs, shall require approval by the JROC.



U005748/01

This policy applies to all acquisition category submunition weapons programs. Compliance with this policy shall be assessed by the Component or Defense Acquisition Executive, as appropriate.

A handwritten signature in black ink, appearing to be "Jill" followed by a stylized surname or initials.



ACQUISITION AND  
TECHNOLOGY

THE UNDER SECRETARY OF DEFENSE  
3010 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-3010



SEP 27 2000

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
ATTN: ACQUISITION EXECUTIVES

SUBJECT: NATO Standards for Use in the Acquisition of Munitions

One aspect of the Department's initiative in acquisition reform involves the increased use of internationally recognized commercial and/or NATO standards. In the area of munitions acquisition, NATO Standardization Agreements (STANAGs) and Allied Ordnance Publications (AOPs) provide excellent guidance, and use of these documents furthers our goal of interoperability with our NATO allies. In this light, it is essential that our acquisition community is aware of these publications and uses them, when appropriate, in the acquisition of munitions.

In the area of safety and suitability for service of munitions and explosives, NATO Cadre Group AC/310 provides the technical and administrative lead for the National Armaments Directors in advancing our goal of munitions interoperability via standardization. AC/310 has been actively developing safety-related STANAGs and AOPs for use in the acquisition of munitions for many years. Because of their efforts, NATO, in the past 12 months, has promulgated 8 STANAGs and 4 AOPs that relate to safety and suitability for service of munitions and explosives. The purpose of this memorandum is to ensure that these documents are reviewed and incorporated into your munitions system acquisition programs, as applicable. Please disseminate this information as widely as possible throughout the DoD's munitions acquisition community.

A listing of the documents is attached. They have been submitted to the DoD Single Stock Point for inclusion into the DoD Index of Specifications and Standards (DoDISS). You can access DoDISS thru the WEB at <http://www.dodssp.daps.mil/>.

DoD personnel supporting the work of AC/310 will ensure that every effort is made to draft STANAGs and AOPs such that their equivalent U.S. document could be eliminated.

J. S. Gansler

Attachment





## THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3010

NOV 20 2000

### MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS ATTN: SERVICE ACQUISITION EXECUTIVES

Subject: Section 806 of the Strom Thurmond National Defense Authorization Act for  
Fiscal Year 1999

Section 806 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 states that the official designated as the single manager for conventional ammunition (SMCA) in the Department of Defense shall limit a specific procurement of ammunition to sources within the national technology and industrial base in accordance with section 2304(c)(3) of title 10, United States Code (U.S.C.), if that manager determines that such limitation is necessary to maintain a facility, producer, manufacturer, or other supplier available for furnishing an essential item of ammunition or ammunition component in cases of national emergency or to achieve industrial mobilization. This encompasses all procurements for conventional ammunition including those Army procurements that the SMCA does not manage and procurements by other Military Departments and defense agencies. Section 806 specifies that the term conventional ammunition has the meaning given that term in DoDD 5160.65, dated March 8, 1995. Conventional ammunition as defined in DoDD 5160.65 includes missiles, torpedoes, naval mines, and other Service-unique ammunition. Section 806 does not change the criteria set out in 10 U.S.C. 2304, for using other than competitive procedures.

As a result of section 806, the attached policy direction issued by the Under Secretary of Defense (A&T) in his memorandum of February 24, 1995, on Armaments Cooperation and Mobilization Base, is no longer applicable to conventional ammunition, but it remains in effect for other procurements. Please note that requests to use other than competitive procedures or exclude sources for mobilization base reasons on contracts over \$50 million should be submitted to me through the Deputy Under Secretary of Defense (Industrial Affairs), since the position of the Assistant Secretary of Defense (Economic Security) has been abolished. Consistent with section 806, I am providing the following policy direction with respect to conventional ammunition.

The Assistant Secretary of the Army (Acquisition, Logistics and Technology), Deputy for Ammunition, will publish annually a Conventional Ammunition End Item/Component at Risk List. This list will identify ammunition or components that potentially qualify for restricted competition. DoD Handbook 5000.60-H, Assessing Defense Industrial Capabilities, provides guidance in preparing the list. While this list is indicative of ammunition or components for which restrictions may be determined to be applicable, the Deputy for Ammunition is not constrained to this list and may identify other conventional ammunition for which restrictions are necessary at any time.



Acquisition plans or strategies for all procurements of conventional ammunition will be submitted to the Deputy for Ammunition for review and concurrence regardless of the Acquisition Category. New procurements of conventional ammunition covered by previously approved acquisition plans must also be submitted to the Deputy for Ammunition in order to comply with the requirements of section 806.

The Deputy for Ammunition will review the procurement approach to determine if the plan or strategy is consistent with retaining those national technology and industrial base capabilities required in accordance with section 806 and 10 U.S.C 2304(c)(3), considering all risk factors. Currently, a focus for these determinations is the shared industrial and technological base for fuzes/safe arm devices, explosives, propellants, explosive loading, and those conventional ammunition end item/component at risk list items where there is a common need.

If the Deputy for Ammunition concurs with the acquisition plan/strategy, he will provide his decision to that effect in writing to the Military Department or defense agency involved, and that Military Department or defense agency may proceed with the procurement. If the Deputy for Ammunition disagrees with the acquisition plan or strategy, the Military Department or defense agency involved will be notified. The Deputy for Ammunition, with assistance from the Army Office of the Executive Director for Conventional Ammunition, will attempt to resolve the disagreement with the Military Department. If no agreement is reached, the Assistant Secretary of the Army (Acquisition, Logistics and Technology) will make the final determination on the appropriate acquisition approach.

Justifications and Approvals (J&As) for section 806 related exceptions to competition will be processed following established regulations and policies. The Deputy Under Secretary of Defense (Industrial Affairs) will monitor the implementation and execution of the section 806 process.

I appreciate your cooperation with these policy changes.

A handwritten signature in dark ink, appearing to read "J. Stuebel", is written over a faint, circular official seal. The signature is fluid and cursive.

Attachment:  
As stated



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FEB 24 1995

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
ATTN: SERVICE ACQUISITION EXECUTIVES

Subject: Armaments Cooperation and Mobilization Base

I would like to promote consistency and fairness in dealing with our allies while assuring an adequate industrial base is maintained to support our defense needs. To promote these goals, I am implementing three changes to our process.

First, you may not use other than competitive procedures or exclude sources for mobilization base reasons on contracts over \$50 million unless I have given prior approval. Service Acquisition Executives (SAEs) will forward to me, through the Assistant Secretary of Defense (Economic Security), proposed determinations based on FAR 6.302-3(a)(2)(i) and FAR 6.202(a)(2) for procurements over \$50 million.

Second, SAEs will implement an approval process for assuring that determinations for contracts less than \$50 million awarded to develop or maintain the industrial mobilization base are made only in exceptional circumstances when there is a clearly demonstrated need for such a restriction.

Third, SAEs will debrief a foreign embassy if one of its country's companies is an unsuccessful offeror when the contract is awarded to other than the low responsible offeror. These debriefings should be provided on contracts of \$10 million or more, however, you may establish a lower threshold if appropriate.

I appreciate your cooperation with this policy direction.

*Paul G. Kaminski*  
Paul G. Kaminski



ATTACHMENT -





ACQUISITION AND  
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THE UNDER SECRETARY OF DEFENSE  
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20 DEC 2000

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
ATTN: ACQUISITION EXECUTIVES

SUBJECT: Application of Executive Order 13101 to Demilitarization and Insensitive Munitions

A key goal of the Department's acquisition process is to minimize pollution, waste, and environmental damage throughout a weapon system's life cycle. As stated in Department of Defense (DoD) instructions 5000.1 and 5000.2-R, "it is DoD policy to prevent, mitigate or remediate environmental damage caused by acquisition programs." This policy requires that all forms of pollution be prevented or reduced at the source, whenever feasible, in the design, manufacturing, testing, operating, and disposing of systems.

The recycling and reuse of materials from demilitarization into our new munitions will contribute to pollution prevention, while offering the Department cost-saving measures as we develop insensitive munitions (IM). Section 401 of Executive Order 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition, provides that agencies shall consider "... elimination of virgin material requirements; ... use of recovered materials; reuse of product; life-cycle cost; recyclability; use of environmentally preferable products; waste prevention...; and ultimate disposal..." This policy should drive the Department to view the munitions demilitarization stockpile as an asset instead of a liability and use it to maximize resource recovery and reuse. Furthermore, recycled energetic materials could be reformulated into less-sensitive fills that would reduce the procurement cost of new munitions, while helping to achieve the Department's goal of an IM-compliant inventory.

I have attached excerpts from Executive Order 13101 that are especially relevant to munitions acquisition. I request that members of the acquisition community review these policies and apply them to the munitions acquisition process in accordance with the Executive Order. Please disseminate this information as widely as possible throughout the DoD's munitions acquisition community.

Attachment

J. S. Gansler



## EXCERPTS FROM EXECUTIVE ORDER 13101:

### GREENING THE GOVERNMENT THROUGH WASTE PREVENTION, RECYCLING, AND FEDERAL ACQUISITION

#### PART 1 - PREAMBLE

Section 101. Consistent with the demands of efficiency and cost effectiveness, the head of each executive agency shall incorporate waste prevention and recycling in the agency's daily operations and work to increase and expand markets for recovered materials through greater Federal Government preference and demand for such products. It is the national policy to prefer pollution prevention, whenever feasible. Pollution that cannot be prevented should be recycled; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner. Disposal should be employed only as a last resort.

#### PART 4 - ACQUISITION PLANNING, AFFIRMATIVE PROCUREMENT PROGRAMS, AND FEDERAL FACILITY COMPLIANCE

Sec. 401. Acquisition Planning. In developing plans, drawings, work statements, specifications, or other product descriptions, agencies shall consider, as appropriate, a broad range of factors including: elimination of virgin material requirements; use of biobased products; use of recovered materials; reuse of product; life cycle cost; recyclability; use of environmentally preferable products; waste prevention (including toxicity reduction or elimination); and ultimate disposal. These factors should be considered in acquisition planning for all procurement and in the evaluation and award of contracts, as appropriate. Program and acquisition managers should take an active role in these activities.

#### PART 5 - STANDARDS, SPECIFICATIONS, AND DESIGNATION OF ITEMS

Sec. 501. Specifications, Product Descriptions, and Standards. When developing, reviewing, or revising Federal and military specifications, product descriptions (including commercial item descriptions), and standards, executive agencies shall consider recovered materials and any environmentally preferable purchasing criteria developed by the EPA, and ensure the criteria are complied with in developing or revising standards. Agencies shall report annually to the FEE on their compliance with this section for incorporation into the biennial report to the President referred to in section 302(a)(2) of this order. (a) If an inconsistency with section 6002 of RCRA or this order is identified in a specification, standard, or product description, the FEE shall request that the Environmental Executive of the pertinent agency advise the FEE as to why the specification cannot be revised or submit a plan for revising it within 60 days.



## PART 6 - AGENCY GOALS AND REPORTING REQUIREMENTS

Sec. 601. Agency Goals. (b) Agencies shall set goals to increase the procurement of products that are made with recovered materials, in order to maximize the number of recycled products purchased, relative to non-recycled alternatives.

## PART 7 - APPLICABILITY AND OTHER REQUIREMENTS

Sec. 701. Contractor Applicability. Contracts that provide for contractor operation of a Government-owned or -leased facility and/or contracts that provide for contractor or other support services at Government-owned or -operated facilities awarded by executive agencies after the date of this order, shall include provisions that obligate the contractor to comply with the requirements of this order within the scope of its operations.